

AMENDMENT TRANSMITTAL LETTER			Docket No. SPINE 3.0-447 CONT	
Application No. 10/771,597-Conf. #3441	Filing Date February 4, 2004	Examiner M. C. Hoffman	Art Unit 3733	

Applicant(s): James D. Ralph, Stephen Tatar, and Thomas J. Errico

Invention: INSERTION TOOL FOR USE WITH INTERVERTEBRAL SPACERS

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.
The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	10	- 20 =	0	x 52.00	0.00
Independent Claims	1	- 3 =	0	x 220.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

☒ Large Entity
 ☐ Small Entity

☒ No additional fee is required for this amendment.

☐ Please charge Deposit Account No. _____ in the amount of \$ _____.

☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

/Brian R. Tomkins/
 Brian R. Tomkins
 Attorney/Agent Reg. No.: 58,550

Dated: August 25, 2009

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: August 25, 2009 Electronic Signature for Brian R. Tomkins: /Brian R. Tomkins/